IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 23963 of 2005

Between:

P.Ramarao and another

..... PETITIONERS

AND

The Commissioner of Police,

Basheerbbagh, Hyderabad and 5 others .....**RESPONDENTS**

ORDER:

Seeking a Mandamus, directing the respondents 1 and 2 not to act upon an undated complaint given by the respondents 3 to 6 against the petitioners, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is stated that the petitioners owned 70% of a commercial cum residential complex at Ameerpet styled as 'Sirisha Plaza' and balance 30% is owned by respondents 3 to 5, and 6th respondent a tenant of one complex. It is further stated that there are certain disputes in between the petitioners and respondents with regard to water supply and electricity and those disputes were resolved on 02.11.2005. It is further stated that without any cause of action, respondents 3 to 6 are blaming the petitioners stating that they are not supply the water continuously and disconnecting the power supply wires and in that regard they are making false complaints before the respondents 1 and 2.

It is the statutory duty of the police to register a case under Section 154 of the Code of the Criminal Procedure if the allegations of any complaint made out a prima facie case of cognizable offence or else lodge the same. Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a

direction to the

respondents 1 and 2 to register a case, if any complaint filed by the respondents 3 to 6 against the petitioners and if the allegations in the said complaint made out a prima facie case of cognizable offence. Without registering any case or lodge a complaint against the petitioners, the respondents 1 and 2 cannot interfere with the personal life and liberty of the petitioners.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 09.11.2005

Dsr